

Norman C. Kleinberg
Theodore V. H. Mayer
William J. Beausoleil
HUGHES HUBBARD & REED LLP
One Battery Park Plaza
New York, New York 10004-1482
(212) 837-6000

Paul F. Strain
M. King Hill, III
David J. Heubeck
VENABLE LLP
Two Hopkins Plaza, Suite 1800
Baltimore, Maryland 21201
(410) 244-7400

Attorneys for Defendant Merck & Co., Inc.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
IN RE: :
Fosamax Products Liability Litigation : 1:06-md-1789 (JFK)
:
-----X
This Document Relates to: :
Ella Gardner :
v. Merck & Co., Inc. :
:
Case No: 1:08-cv-4167-JFK :
-----X

NOTICE OF APPEARANCE

PLEASE TAKE NOTICE that David J. Heubeck hereby enters his appearance as counsel of record in the above referenced causes of action. All inquiries, pleadings and court documents should be filed and served upon the undersigned.

Dated: May 27, 2008
New York, New York

Respectfully submitted,

By: _____ /s/
David J. Heubeck

Venable LLP
Two Hopkins Plaza, Suite 1800
Baltimore, Maryland 21201
Tel: (410) 244-7400
Fax: (410) 244-7742
Email: djheubeck@venable.com

CERTIFICATE OF SERVICE

I hereby certify that on May 27, 2008, the foregoing NOTICE OF APPEARANCE was filed electronically and served electronically, pursuant to the Court's Case Management Order, via the Court's CM/ECF system.

/s/
David J. Heubeck

Venable LLP
Two Hopkins Plaza, Suite 1800
Baltimore, Maryland 21201
Tel: (410) 244-7400
Fax: (410) 244-7742
Email: djheubeck@venable.com